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**FILED**

FEB 26 2013

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 12-0268-LHK
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER TO MODIFY CONDITIONS OF
vs.	)	PRETRIAL RELEASE
	)	
EUTIMIO RODRIGUEZ,	)	<u>HON. HOWARD R. LLOYD</u>
	)	
Defendant.	)	
	)	

**STIPULATION**

Defendant Eutimio Rodriguez and the government, through their respective counsel, Assistant Federal Public Defender Varell L. Fuller, and Assistant United States Attorney Amber Rosen, stipulate and agree, subject to the Court's approval, to modify the defendant's previously set pretrial release conditions to permit his travel to the Eastern District of California for work as permitted by Pretrial Services.

Mr. Rodriguez is charged with conspiracy to commit theft of goods stolen in interstate commerce in violation of 18 U.S.C. § 371, and possession of goods stolen in interstate and foreign commerce, in violation of 18 U.S.C. § 659. On May 10, 2012, Mr. Rodriguez was released on \$30,000 bond secured by the signature of three sureties. His travel is presently

1 restricted to the Northern District of California. Mr. Rodriguez has complied with his pretrial  
2 release conditions as ordered since his release.

3 Mr. Rodriguez has recently secured employment that requires him to occasionally travel  
4 to the Eastern District of California. Mr. Rodriguez respectfully requests that the Court modify  
5 his pretrial release conditions to permit him to travel to the Eastern District of California as  
6 permitted by Pretrial Services for work purposes only. Counsel for Mr. Rodriguez has consulted  
7 with government counsel, and Mr. Rodriguez's Pretrial Services Officer, Nelson Barao, and  
8 neither object to the proposed modification.

9 Accordingly, the parties stipulate and agree that Mr. Rodriguez's pretrial release  
10 conditions may be modified to permit his travel to the Eastern District of California, as permitted  
11 by Pretrial Services for work purposes only, with all other conditions to remain in effect.

12 It is so stipulated.

13 Date: February 25, 2013

14 /S/  
VARELL L. FULLER  
Assistant Federal Public Defender

15 Date: February 25, 2013

16 /S/  
AMBER ROSEN  
Assistant United States Attorney

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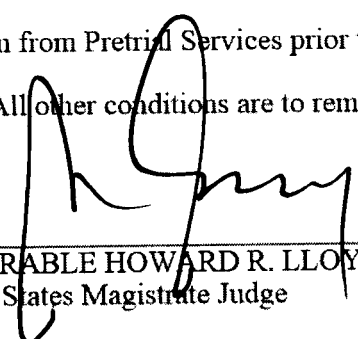
[proposed] ORDER

18 GOOD CAUSE APPEARING, pursuant to the stipulation of the parties, IT IS HEREBY  
19 ORDERED that the bond set in this matter is modified to permit Eutimio Rodriguez to travel to  
20 the Eastern District of California for work purposes only. IT IS FURTHER ORDERED that the  
21 defendant must request and obtain permission from Pretrial Services prior to any such travel to  
22 the Eastern District of California for work. All other conditions are to remain in effect.

23 IT IS SO ORDERED.

24 Dated:

2/26/13

25   
HONORABLE HOWARD R. LLOYD  
United States Magistrate Judge